



Attorney's Docket No.: 042390.P11167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Bradford H. Needham, et al.

Serial No.: 09/912,427

Filed: October 23, 2001

For: **METHOD AND SYSTEM FOR IMAGE
SHARING BASED ON FACES IN AN IMAGE**

Examiner: To Be Determined

Art Group: 2152

PETITION UNDER 37 C.F.R. §1.182
RELATING TO THE FILING DATE OF A PATENT APPLICATION UNDER 37 C.F.R. §1.53

Mail Stop Petitions
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Petition to reinstate the original filing date of July 26, 2001, for the subject utility patent application. A check in the amount of \$130.00 covering the Petition fee under 37 C.F.R. §1.17(h) is enclosed.

Briefly, the July 26, 2001 filing date was accorded to this application, as indicated in a Notice to File Missing Parts dated October 3, 2001. However, Figure 3 (which is described in the Specification but is not necessary for understanding it) had apparently been omitted. The Applicants' previous counsel filed a Request for Approval of Drawing Corrections, which included a copy of the omitted figure, on October 23, 2001. Although an explanation was submitted that no new matter was added to the application by introducing Figure 3, the Patent Office apparently automatically issued

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an Updated Filing Receipt dated November 21, 2001, which changed the filing date to October 23, 2001.

As it continues to be Applicants' position that Figure 3 presented no new matter, this Petition is being filed to withdraw that omitted drawing and amend the Specification to cancel all references to it. A Preliminary Amendment thus canceling Figure 3 and related text in the Specification is filed concurrently here, prior to the first Office Action issuing, so as to avoid delays in the prosecution of the application. Upon granting this Petition and entry of the enclosed amendment, an Updated Filing Receipt that refers to the original filing date of July 26, 2001 is respectfully requested to issue.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP


Dated: April 1, 2004

By 
Farzad E. Amini, Reg. No. 42,261

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450 on April 1, 2004.


Margaux Rodriguez April 1, 2004